

2005 DRAFTING REQUEST

Bill

Received: **12/06/2004**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Gundrum (608) 267-5158**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Transportation - driver licenses**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gundrum@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Operators licenses for illegal aliens

Instructions:

require legal presence in the United States to obtain license; license expires when their visa expires.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	phurley 12/20/2004	wjackson 01/06/2005		_____			State
/1	phurley 02/08/2005	wjackson 02/09/2005	pgreensl 01/07/2005	_____	lnorthro 01/07/2005		State
/2	phurley 02/23/2005	wjackson 02/23/2005	rschluet 02/09/2005	_____	lnorthro 02/09/2005	lnorthro 02/23/2005	

FE Sent For: 01/18/2005.

<END>

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/?	phurley 12/20/2004	wjackson 01/06/2005					State
/1		12WJ 2/9	pgreensl 01/07/2005		lnorthro 01/07/2005		

FE Sent For: 4/1"

Kevin
1/18/05

<END>

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/?	phurley	1 WLJ 1/6	1/6 PS	1/7 PS/15			

FE Sent For:

<END>

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY SUBSTITUTE AMENDMENT,
TO 2003 ASSEMBLY BILL 301

Insert A ✓

12-22-04
soon

AN ACT *to renumber and amend* 343.50 (1); *to amend* 343.20 (1) (a), 343.50
(4), 343.50 (5) and 343.50 (6); and *to create* 343.01 (2) (ba), 343.06 (1) (L),
343.14 (2) (er), 343.17 (3) (a) 14. and 343.50 (1) (b) of the statutes; **relating to:**
drivers licenses and identification cards for aliens.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 343.01 (2) (ba) of the statutes is created to read:

343.01 (2) (ba) "Alien" means a person who is not a citizen or national of the
United States.

SECTION 2. 343.06 (1) (L) of the statutes is created to read:

343.06 (1) (L) To any person who is an alien and who does not provide the
documentary proof described in s. 343.14 (2) (er).

SECTION 3. 343.14 (2) (er) of the statutes is created to read:

1 343.14 (2) (er) If the application is made by a person who is an alien,
2 documentary proof that the applicant is legally residing within this state under 8
3 USC 1101 to 1105 or other applicable federal law, and the date on which the
4 applicant's status as a legal alien expires.

5 **SECTION 4.** 343.17 (3) (a) 14. of the statutes is created to read:

6 343.17 (3) (a) 14. If the person is an alien, the date on which the person's status
7 as a legal alien expires.

8 **SECTION 5.** 343.20 (1) (a) of the statutes, as affected by 2003 Wisconsin Act 33,
9 is amended to read:

10 343.20 (1) (a) Except as otherwise expressly provided in this chapter,
11 reinstated licenses, probationary licenses issued under s. 343.085 and original
12 licenses other than instruction permits shall expire 2 years from the date of the
13 applicant's next birthday, or, if the person is an alien, on the date that the applicant's
14 status as a legal alien expires, whichever occurs first. Subject to s. 343.125 (3), all
15 other licenses and license endorsements shall expire 8 years after the date of
16 issuance, or, if the person is an alien, on the date that the applicant's status as a legal
17 alien expires, whichever occurs first. The department may institute any system of
18 initial license issuance which it deems advisable for the purpose of gaining a uniform
19 rate of renewals. In order to put such a system into operation, the department may
20 issue licenses which are valid for any period less than the ordinary effective period
21 of such license. If the department issues a license that is valid for less than the
22 ordinary effective period as authorized by this paragraph, the fees due under s.
23 343.21 (1) (a), (b) and (d) shall be prorated accordingly.

24 **SECTION 6.** 343.50 (1) of the statutes is renumbered 343.50 (1) (a) and amended
25 to read:

Please
Fix
Comp

Lps: Please PWT

1 343.50 (1) (a) ~~The~~ Except as provided in par. (b), the department shall issue to
2 every qualified applicant, who has paid the required fee, an identification card as
3 provided in this section.

4 **SECTION 7.** 343.50 (1) (b) [✓] of the statutes is created to read:

5 343.50 (1) (b) The department may not issue an identification card to any
6 person who is an alien and who does not provide the documentary proof described in
7 s. 343.14 (2) (er).[✓]

Please
Fix
Comp.

8 **SECTION 8.** 343.50 (4) of the statutes, as affected by 2003 Wisconsin Act 33, is
9 amended to read:

10 343.50 (4) APPLICATION. The application for an identification card shall include
11 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), ~~and~~
12 (em), and (er),[✓] and such further information as the department may reasonably
13 require to enable it to determine whether the applicant is entitled by law to an
14 identification card. The department shall, as part of the application process, take a
15 photograph of the applicant to comply with sub. (3). No application may be processed
16 without the photograph being taken. Misrepresentations in violation of s. 343.14 (5)
17 are punishable as provided in s. 343.14 (9).

18 **SECTION 9.** 343.50 (5) [✓] of the statutes is amended to read:

19 343.50 (5) VALID PERIOD; FEES. The fee for an original card and for the
20 reinstatement of an identification card after cancellation under sub. (10) shall be \$9.
21 The card shall be valid for the succeeding period of 4 years from the applicant's next
22 birthday after the date of issuance, or, if the person is an alien, until the date that
23 the applicant's status as a legal alien expires, whichever occurs first.

24 **SECTION 10.** 343.50 (6) [✓] of the statutes is amended to read:

LPS: Please PWF

lps: please tWF

(END)

2003 ASSEMBLY BILL 301

April 23, 2003 - Introduced by Representatives PETTIS, MUSSER, NASS, VAN ROY, JESKEWITZ, ALBERS, BIES, FREESE, FRISKE, HINES, HAHN, GROTHMAN, McCORMICK, OTT, J. WOOD and GIELOW. Referred to Committee on Transportation.

- 1 AN ACT *to amend* 343.50 (4); and *to create* 343.01 (2) (ba), 343.14 (2) (er) and
2 343.17 (3) (a) 14. of the statutes; ~~relating to:~~ driver licenses and identification
3 cards for aliens.

Analysis by the Legislative Reference Bureau

Insert A

Under current law, a person who wishes to receive a driver's license or an identification card from the Department of Transportation (DOT) must provide certain information to DOT, including the person's name, address, date of birth, and physically descriptive information. A license or an identification card that is issued by DOT includes a picture of the person, identifying information, the person's signature, and physically descriptive information.

Under this bill, an applicant for a driver's license or identification card who is an alien resident of this state must present documentary proof that the person is legally residing within the state and the date on which his or her status as a legal alien expires. The bill requires DOT to include on the person's driver's license or identification card the date on which the person's status as a legal alien expires.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

and specifies that the person's license or identification card expires on that date.

Usealman, Kevin

From: Zimmer, Brian [Brian.Zimmer@mail.house.gov]
Sent: Monday, January 31, 2005 3:25 PM
To: Usealman, Kevin
Subject: RE: Driver's License Bill Draft

Kevin - not handy - but do a Google search and you will find it - and you can contact Virginia DMV HQ directly. I'll try and find a point of contact - they're very proud of what they've accomplished and can give you better help than I with regard to the specific arguments.

I apologize for not being more help, but I'm terribly busy.

Brian

-----Original Message-----

From: Usealman, Kevin [mailto:Kevin.Usealman@legis.state.wi.us]
Sent: Monday, January 31, 2005 2:36 PM
To: Zimmer, Brian
Subject: RE: Driver's License Bill Draft

Thanks for this Brian. I appreciate you taking time. If you could I have one more question. I believe you told me that Virginia, in your opinion, has the best language on this. If that's true, do you have a copy of that language??

Thanks again,
Kevin

-----Original Message-----

From: Zimmer, Brian [mailto:Brian.Zimmer@mail.house.gov]
Sent: Monday, January 31, 2005 12:27 PM
To: Usealman, Kevin
Cc: Bharwani, Rajesh
Subject: RE: Driver's License Bill Draft

Kevin - If you want it to be effective - look at language regarding proof of legal presence in REAL ID Bill.

(B) EVIDENCE OF LAWFUL STATUS.-A State shall require, before issuing a driver's license or identification card to a person, valid documentary evidence that the person (i) is a citizen of the United States; (ii) is an alien lawfully admitted for permanent or temporary residence in the United States; (iii) has conditional permanent resident status in the United States; (iv) has an approved application for asylum in the United States or has entered into the United States in refugee status; (v) has a valid, unexpired non- immigrant visa or nonimmigrant visa status for entry into the United States; (vi) has a pending application for asylum in the United States; (vii) has a pending or approved application for temporary protected status in the United States; (viii) has approved deferred action status; or (ix) has a pending application for adjustment of status to that of

an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States.

Loophole in your current language is self- defining - "if a person is an alien" etc. - they never say they're an alien, to the contrary, they say they're legal residents or naturalized citizens.

Brian

-----Original Message-----

From: Usealman, Kevin [mailto:Kevin.Usealman@legis.state.wi.us]

Sent: Wednesday, January 26, 2005 12:45 PM

To: Zimmer, Brian

Cc: Bharwani, Rajesh

Subject: Driver's License Bill Draft

Importance: High

Brian,

Here is a copy of our Driver's License Bill. Can you take a peek at it for me and just let me know if it fully addresses the issue at the state level as you understand it. I want to make sure we aren't leaving any loopholes. Also, can you send me a list of what you believe to be a complete list of all acceptable documents for proving legal presence? i.e. - Green Card, Birth Certificate....etc.

I really appreciate any assistance you can give on this.

Kevin

applicant who presents in person valid documentary evidence of (i) a valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States, (ii) a pending or approved application for asylum in the United States, (iii) entry into the United States in refuge status, (iv) a pending or approved application for temporary protected status in the United States, (v) approved deferred action status, or (vi) a pending application for adjustment of status to legal permanent residence status or conditional resident status, may be issued a temporary license, permit, or special identification card. Such temporary license, permit, or special identification card shall be valid only during the period of time of the applicant's authorized stay in the United States or if there is no definite end to the period of authorized stay a period of one year. Any temporary license, permit, or special identification card issued pursuant to this subsection shall clearly indicate that it is temporary and shall state the date that it expires. Such a temporary license, permit or identification card may be renewed only upon presentation of valid documentary evidence that the status by which the applicant qualified for the temporary license, permit or special identification has been extended by the United States Immigration and Naturalization Service or the Bureau of Citizenship and Immigration Services of the Department of Homeland Security.

C. Any license for which an application has been made for renewal, duplication or reissuance shall be presumed to have been issued in accordance with the provisions of subsection A, provided that, at the time the application is made, the license has not expired, or been cancelled, suspended or revoked. The requirements of subsection A shall apply, however, to a renewal, duplication or reissuance if the Department is notified by a local, state or federal government agency that the individual seeking such renewal, duplication or reissuance is neither a citizen of the United States nor legally in the United States.

§ 46.2-341.16:1. Hazardous materials endorsement.

Notwithstanding any other provision of this title, endorsements by the Department including the issue, reissue, or renewal authorizing a driver to operate a vehicle transporting hazardous materials shall comply with the requirements of 49 U.S.C. § 5103 (a).

2. That the provisions of this act shall become effective on January 1, 2004, except that the provisions of § 46.2-341.16:1 shall become effective on July 1, 2004. On or before December 1, 2003, the Department of Motor Vehicles, after consultation with the Office of the Attorney General, shall report to the General Assembly the content of regulations that the Department of Motor Vehicles intends to promulgate to carry out the provisions of this act.

Legislative Information System

[summary | pdf](#)**CHAPTER 817**

An Act to amend and reenact § 46.2-105.2 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 46.2-328.1 and 46.2-341.16:1, relating to licenses and identification cards and fraudulent representation; penalty.

[H 1954]

Approved March 22, 2003

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-105.2 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding sections numbered 46.2-328.1 and 46.2-341.16:1 as follows:

§ 46.2-105.2. Obtaining documents from the Department when not entitled thereto; penalty.

A. It shall be unlawful for any person to obtain a Virginia driver's license, special identification card, vehicle registration, certificate of title, or other document issued by the Department if such person has not satisfied all legal and procedural requirements for the issuance thereof, or is otherwise not legally entitled thereto, *including obtaining any document issued by the Department through the use of counterfeit, forged, or altered documents.*

B. It shall be unlawful to aid any person to obtain any driver's license, special identification card, vehicle registration, certificate of title, or other document in violation of the provisions of subsection A.

C. It shall be unlawful to knowingly possess or use for any purpose any driver's license, special identification card, vehicle registration, certificate of title, or other document obtained in violation of the provisions of subsection A.

D. A violation of any provision of this section shall constitute a Class 2 misdemeanor if a person is charged and convicted of a violation of this section that involved the unlawful obtaining or possession of any document issued by the Department for the purpose of engaging in any age-limited activity, including but not limited to obtaining, possessing, or consuming alcoholic beverages. However, if a person is charged and convicted of any other violation of this section, such offense shall constitute a Class 6 felony.

E. Whenever it appears to the satisfaction of the Commissioner that any driver's license, special identification card, vehicle registration, certificate of title, or other document issued by the Department has been obtained in violation of this section, it may be cancelled by the Commissioner, who shall mail notice of the cancellation to the address of record maintained by the Department.

§ 46.2-328.1. *Licenses, permits and special identification cards to be issued only to United States citizens, legal permanent resident aliens, or holders of valid unexpired nonimmigrant visas; exceptions.*

A. *Notwithstanding any other provision of this title, the Department shall not issue an original license, permit, or special identification card to any applicant who has not presented to the Department, with the application, valid documentary evidence that the applicant is either (i) a citizen of the United States, (ii) a legal permanent resident of the United States, or (iii) a conditional resident alien of the United States.*

B. *Notwithstanding the provisions of subsection A and the provisions of §§ 46.2-330 and 46.2-345, an*

applicant who presents in person valid documentary evidence of (i) a valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States, (ii) a pending or approved application for asylum in the United States, (iii) entry into the United States in refuge status, (iv) a pending or approved application for temporary protected status in the United States, (v) approved deferred action status, or (vi) a pending application for adjustment of status to legal permanent residence status or conditional resident status, may be issued a temporary license, permit, or special identification card. Such temporary license, permit, or special identification card shall be valid only during the period of time of the applicant's authorized stay in the United States or if there is no definite end to the period of authorized stay a period of one year. Any temporary license, permit, or special identification card issued pursuant to this subsection shall clearly indicate that it is temporary and shall state the date that it expires. Such a temporary license, permit or identification card may be renewed only upon presentation of valid documentary evidence that the status by which the applicant qualified for the temporary license, permit or special identification has been extended by the United States Immigration and Naturalization Service or the Bureau of Citizenship and Immigration Services of the Department of Homeland Security.

C. Any license for which an application has been made for renewal, duplication or reissuance shall be presumed to have been issued in accordance with the provisions of subsection A, provided that, at the time the application is made, the license has not expired, or been cancelled, suspended or revoked. The requirements of subsection A shall apply, however, to a renewal, duplication or reissuance if the Department is notified by a local, state or federal government agency that the individual seeking such renewal, duplication or reissuance is neither a citizen of the United States nor legally in the United States.

§ 46.2-341.16:1. Hazardous materials endorsement.

Notwithstanding any other provision of this title, endorsements by the Department including the issue, reissue, or renewal authorizing a driver to operate a vehicle transporting hazardous materials shall comply with the requirements of 49 U.S.C. § 5103 (a).

2. That the provisions of this act shall become effective on January 1, 2004, except that the provisions of § 46.2-341.16:1 shall become effective on July 1, 2004. On or before December 1, 2003, the Department of Motor Vehicles, after consultation with the Office of the Attorney General, shall report to the General Assembly the content of regulations that the Department of Motor Vehicles intends to promulgate to carry out the provisions of this act.

Legislative Information System

HB 1954 Licenses; identification cards; fraudulent representation; penalty.

David B. Albo (all patrons) notes | add to my profiles

Summary as passed: (all summaries)

Obtaining driver's licenses, special identification cards, etc.; legal presence in the US; fraudulent representation; penalty. Makes it a Class 6 felony to obtain any document issued by the Department of Motor Vehicles (DMV) through the use of counterfeit, forged, or altered documents (unless the violation includes obtaining or possessing the documents for the purpose of engaging in an age-limited activity, in which case the violation is a Class 2 misdemeanor). The bill also provides that DMV will not issue an original license, permit, or special identification card to any applicant who has not presented with his application documentary evidence that he is either (i) a citizen of the United States, (ii) a legal permanent resident of the United States, or (iii) a conditional resident alien of the United States. An applicant who presents in person valid documentary evidence of (a) a valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States, (b) a pending or approved application for asylum in the United States, (c) entry into the United States in refugee status, (d) a pending or approved application for temporary protected status in the United States, (e) approved deferred action status, or (f) a pending application for adjustment of status to legal permanent residence status or conditional resident status, may be issued a temporary license, permit, or special identification card. Such temporary license, permit, or special identification card shall be valid only during the period of time of the applicant's authorized stay in the United States or, if there is no definite end to the period of authorized stay, a period of one year. Any temporary license, permit, or special identification card issued pursuant to this subsection is required to clearly indicate that it is temporary and state the date that it expires. Such a temporary license, permit or identification card may be renewed only upon presentation of valid documentary evidence that the status by which the applicant qualified for the temporary license, permit or special identification has been extended by the United States Immigration and Naturalization Service or the Bureau of Citizenship and Immigration Services of the Department of Homeland Security. Applications for renewal, duplication, or reissuance of licenses and special identification cards will be presumed to have been validly issued, provided that, at the time the application is made, the license has not expired, or been cancelled, suspended or revoked.

The bill finally requires that driver's license endorsements by DMV including the issue, reissue, or renewal authorizing a driver to operate a vehicle transporting hazardous materials must comply with the requirements of the USA Patriot Act of 2001.

The bill becomes effective on January 1, 2004, except that the provisions relating to the Patriot Act become effective on July 1, 2004.

On or before December 1, 2003, DMV must report to the General Assembly the content of regulations that the Department of Motor Vehicles intends to promulgate to carry out the provisions of this act. This bill is the same as SB1058.

Full text:

01/08/03 House: Presented & ordered printed, prefiled 01/07/03 038870253 (impact statements)
01/30/03 House: Committee substitute printed 030664604-H1 (impact statements)
02/14/03 Senate: Committee substitute printed 039422604-S1 (impact statements)
02/22/03 House: Conference substitute printed 039437604-H2 (impact statement)
02/27/03 House: Bill text as passed House and Senate (HB1954ER) (impact statement)
03/27/03 Governor: Acts of Assembly Chapter text (CHAP0817)

Amendments:

Conference amendments

Status:

01/08/03 House: Presented & ordered printed, prefiled 01/07/03 038870253
01/08/03 House: Referred to Committee for Courts of Justice
01/20/03 House: Reported from C. J. with substitute (18-Y 3-N)
01/20/03 House: Referred to Committee on Appropriations
01/30/03 House: Reported from Appropriations with sub (19-Y 6-N)
01/30/03 House: Committee substitute printed 030664604-H1
02/01/03 House: Read first time
02/03/03 House: Read second time
02/03/03 House: Committee substitute agreed to 030664604-H1
02/03/03 House: Engrossed by House - committee substitute 030664604-H1
02/04/03 House: Read third time and passed House (86-Y 14-N)
02/04/03 House: VOTE: PASSAGE (86-Y 14-N)
02/04/03 House: Rec. of passage agreed to by House
02/04/03 House: Passed House (80-Y 20-N)
02/04/03 House: VOTE: PASSAGE #2 (80-Y 20-N)
02/04/03 House: Communicated to Senate
02/05/03 Senate: Constitutional reading dispensed
02/05/03 Senate: Referred to Committee on Transportation
02/13/03 Senate: Reported from Transportation w/sub (15-Y 0-N)
02/14/03 Senate: Committee substitute printed 039422604-S1
02/17/03 Senate: Const. reading disp., passed by for the day (37-Y 0-N)
02/17/03 Senate: VOTE: CONST. RDG. DISPENSED R (37-Y 0-N)
02/18/03 Senate: Read third time
02/18/03 Senate: Reading of substitute waived
02/18/03 Senate: Committee substitute agreed to 039422604-S1
02/18/03 Senate: Engrossed by Senate - committee substitute 039422604-S1
02/18/03 Senate: Passed Senate with substitute (40-Y 0-N)
02/18/03 Senate: VOTE: (40-Y 0-N)
02/19/03 House: Placed on Calendar
02/20/03 House: Senate substitute rejected by House (21-Y 77-N)
02/20/03 House: VOTE: REJECTED (21-Y 77-N)
02/20/03 Senate: Senate insisted on substitute (38-Y 1-N)
02/20/03 Senate: VOTE: INSIST & REQUEST (38-Y 1-N)
02/20/03 Senate: Senate requested conference committee
02/20/03 House: House acceded to request
02/20/03 House: Conferees appointed by House
02/20/03 House: Delegates: Albo, Bolvin, Stump
02/20/03 Senate: Conferees appointed by Senate
02/20/03 Senate: Senators: O'Brien, Williams, Marsh
02/22/03 House: Conference substitute printed 039437604-H2
02/22/03 House: Conference report agreed to by House (82-Y 16-N)
02/22/03 House: VOTE: ADOPTION (82-Y 16-N)
02/22/03 Senate: Reading of conference report waived
02/22/03 Senate: Conference report agreed to by Senate (30-Y 8-N)
02/22/03 Senate: VOTE: CONF. COMMITTEE RPT. (30-Y 8-N)
02/27/03 House: Bill text as passed House and Senate (HB1954ER)

03/05/03 House: Enrolled

03/05/03 House: Signed by Speaker

03/06/03 Senate: Signed by President

03/22/03 Governor: Approved by Governor-Chapter 817 (effective-see bill)

03/27/03 Governor: Acts of Assembly Chapter text (CHAP0817)

Acceptable Documents for Obtaining a Driver's License or Photo Identification Card

To apply for a driver's license, learner's permit, commercial driver's license (CDL), or CDL instruction permit you must bring two identification documents, one proof of legal presence, one proof of Virginia residency, and proof of your complete social security number (if you have been issued one). Anyone applying for a CDL or CDL instruction permit is required to provide a social security number. To apply for a photo identification (ID) card you must bring two identification documents, one proof of legal presence and one proof of Virginia residency.

If you have official documentation, not listed below, that you believe meets these requirements please present it to your local DMV office for review.

Temporary documents and photocopies of documents will not be accepted. **All documents must be originals and all documents will be subject to verification with the issuing entity prior to acceptance.** DMV may require additional documents. DMV will not accept a document when there is reason to believe it has been altered, fraudulently obtained or is fake, forged, counterfeit or otherwise non-genuine or illegitimate.

Falsifying information on a driver's license, learner's permit, CDL, CDL instruction permit or ID card application is a criminal offense. Altering or assisting a person with improperly or fraudulently obtaining a driver's license, learner's permit, CDL, CDL instruction permit or ID card are also criminal offenses.

The acceptable documents listed in this publication may change without prior notice.

Proof of Identity

Documents submitted as primary proof of identity must show your full legal name and date of birth. Nicknames will not be accepted. You must present at least one document from the primary list of documents. The second proof of identity may come from either the primary list or the secondary list. If two of your proofs of identity are issued by the same entity, such as the same state agency, DMV may require additional proof of identity documents. Individuals under the age of 19 are required to provide only one proof of identity from the primary list.

Primary Documents

- ▶ >>> Virginia DMV-issued driver's license unexpired or expired for not more than one year.
- ▶ Virginia DMV-issued learner's/instruction permit unexpired or expired for not more than one year. If presented by an individual age 19 years or older, the learner's/instruction permit must have been issued after September 21, 2001.
- ▶ Virginia DMV-issued photo identification card (excluding child ID cards) issued after September 21, 2001 unexpired or expired for not more than one year.
- ▶ >>> Unexpired U.S. [issued by a U.S. state (other than Virginia), jurisdiction or territory] or Canadian driver's license or learner's/instruction permit (with photo), not less than 60 days old (other foreign country and international driver's licenses are not accepted).
- ▶ Birth document issued by a U.S. state, jurisdiction or territory (birth documents issued by a hospital and foreign birth certificates are not accepted).
- ▶ >>> Unexpired photo ID card, not less than 60 days old, issued by a U.S. state (other than Virginia), jurisdiction or territory (school/employee ID cards and Native American citizenship cards are not accepted).
- ▶ >>> Unexpired U.S. Active Duty/Retiree/Reservist Military ID Card (DD-2 or Common Access Card). (Military dependent ID cards are not accepted as primary documents).
- ▶ Unexpired or expired U.S. passport.
- ▶ >>> Unexpired foreign passport with an unexpired or expired visa and I-94.
- ▶ >>> Unexpired foreign passport with an I-94W.
- ▶ >>> Unexpired foreign passport with an I-551 stamp.

- ▶ U.S. Certificate/Federal Court Order of Naturalization.
- ▶ U.S. Certificate of Citizenship.
- ▶ Unexpired Conditional Resident Alien Card (I-551) valid for two years.
- ▶ U.S. Citizen Identification Card (I-179 or I-197)
- ▶ >>> Unexpired Temporary Resident ID Card
- ▶ >>> Unexpired Employment Authorization Card (I-688A, I-688B or I-766).
- ▶ >>> Unexpired Refugee Travel Document (I-571).
- ▶ >>> Resident Alien Card, Permanent Resident Card, Northern Marianas Card (I-551) unexpired or expired for not more than one year.
- ▶ Certification of Report of Birth of a U.S. Citizen (DS-1350).
- ▶ Certificate of Birth Abroad (FS-545).
- ▶ Consular Report of Birth Abroad (FS-240).
- ▶ A copy of the first and last page of an application for asylum in the U.S. provided the pages are accompanied by either a receipt from the United States Citizenship and Immigration Services showing the application has been filed or documentation verifying the application is pending in immigration court; OR indicating a decision to grant asylum by the Asylum Office or the original of a document granting asylum issued by an immigration judge or the USCIS.

Secondary Documents

- ▶ Any primary document marked with ">>>" symbol that is unexpired or expired for NOT more than five years.
- ▶ U.S. Selective Service Card.
- ▶ Court order for adoption, name change or gender change from a U.S. state, jurisdiction or territory. Must contain court seal. (Abstracts of criminal/civil convictions are not accepted).
- ▶ U.S. military discharge papers.
- ▶ Certified copy of school records/transcript issued by a school accredited by a U.S. state, jurisdiction or territory OR a Virginia Department of Education Certificate of Enrollment form (a report card is not accepted).
- ▶ Medicare Card/Medicaid Card.
- ▶ Unexpired welfare/social services identification card with photo, issued by a municipality.
- ▶ Marriage license issued by a U.S. state, jurisdiction, territory or municipality.
- ▶ Unexpired military dependent ID card with photo.
- ▶ Unexpired weapons or gun permit issued by federal, state or municipal government.
- ▶ Unexpired U.S. pilot's license.
- ▶ INS form I-797 (applicant's name must appear on the form).
- ▶ U.S. Department of State form DS-2019 (applicant's name must appear on the form).
- ▶ Veterans Universal Access Identification Card.
- ▶ Authorization for Parole of an Alien into the U.S. (I-512).
- ▶ Virginia Criminal Justice Agency Offender Information Form.
- ▶ United States Probation Offender Information Form.
- ▶ INS student or dependent SEVIS I-20 with or without INS stamp (applicant's name must appear on the form).
- ▶ U.S. Federal Agency Employer ID Card with applicant's name and photo.

Legal Presence

Documents presented as proof of legal presence must show your full legal name and date of birth. All applicants for first time Virginia driver's licenses, learner's permits, CDL's or CDL instruction permits must provide proof of legal presence. Applicants whose driver's licenses have expired or been suspended, revoked or cancelled will need to provide proof of legal presence prior to obtaining a new license. Anyone applying for an ID card must show proof of legal presence. If you have permanent status in the U.S. and have once proven your legal presence, you will not be required to submit proof of legal presence for subsequent ID cards or driver's licenses.

If the name on your proof of legal presence document does not match what your DMV driver's license or ID card will display, proof of your name change may be required.

If you are temporarily authorized to be in the U.S., your driver's license or ID card will be valid only for the period of time that you are legally present in the U.S.

- ▶ Birth document issued by a U.S. state, jurisdiction or territory (birth documents issued by a hospital and foreign birth certificates are not accepted).

(continued on next page)

- ▶ Certification of Report of Birth of a U.S. Citizen (DS-1350).
- ▶ Certificate of Birth Abroad (FS-545).
- ▶ Consular Report of Birth Abroad (FS-240).
- ▶ Unexpired or expired U.S. Passport.
- ▶ U.S. Certificate of Naturalization.
- ▶ U.S. Certificate of Citizenship.
- ▶ Unexpired U.S. Active Duty/Retiree/Reservist Military ID Card (DD-2 or Common Access Card).
- ▶ U.S. military discharge papers.
- ▶ Unexpired Employment Authorization Card (I-688A/I-688B, I-766).
- ▶ U.S. Citizen Identification card (I-179, I-197).
- ▶ Resident Alien Card, Permanent Resident Card (I-551) unexpired or expired for not more than one year.
- ▶ Unexpired foreign passport with an unexpired or expired for not more than one year I-551 stamp.
- ▶ Unexpired Temporary Resident Card (I-688).
- ▶ Alien Registration Receipt Card (I-151).
- ▶ Unexpired Re-entry Permit (I-327).
- ▶ Unexpired or expired not more than one year temporary I-551 stamp on an I-94, with photograph of the bearer.
- ▶ Unexpired Conditional Resident Alien Card (I-551)
- ▶ Unexpired foreign passport with an unexpired or expired visa and a valid I-94.
 - ▶▶ Holders of F1/F2 visas must present a valid SEVIS I-20.
 - ▶▶ Holders of J1/J2 visas must present a valid DS-2019.
- ▶ Unexpired foreign passport with a valid I-94W.
- ▶ INS form I-797 (applicant's name must appear on the form)
- ▶ Unexpired Canadian Passport with valid I-94.
- ▶ Unexpired Refugee Travel Document (I-571).
- ▶ U.S. Department of Reception and Placement Program Assurance Form (Refugee) and I-94 stamped Refugee.
- ▶ Form I-94 Record of Arrival and Departure stamped Asylee, Parolee or Parole, refugee, asylum, HP (humanitarian parolee), or PIP (public interest parolee).
- ▶ A copy of the first and last page of an application for asylum in the U.S. provided the pages are accompanied by either a receipt from the United States Citizenship and Immigration Services showing the application has been filed or documentation verifying the application is pending in immigration court; OR indicating a decision to grant asylum by the Asylum Office or the original of a document granting asylum issued by an immigration judge or the USCIS.

Proof of Virginia Residency

You must present one proof of Virginia residency from the list below. The document must show your name and address of your current Virginia residence as it appears on the application. You must give a street address. A post office box or business address is not acceptable.

Applicants under age 19 can have a parent or legal guardian certify their Virginia residency. The parent or legal guardian must appear in person with the applicant. The parent or legal guardian must provide a photo identification card and proof of their Virginia residency with a document from the residency list.

- ▶ Payroll check stub issued by an employer within the last two months.
- ▶ U.S. Internal Revenue Service tax reporting W-2 form or 1099 form (not more than 18 months old).
- ▶ U.S. or Virginia income tax return from the previous year.
- ▶ Original monthly bank statement not more than two months old issued by a bank.
- ▶ Annual Social Security Statement for the current or preceding calendar year.
- ▶ Utility bill, not more than two months old, issued to applicant (examples include gas, electric, sewer, water, cable or phone bill). Cellular phone and pager bills are not accepted.
- ▶ Receipt for personal property taxes or real estate taxes paid within the last year to the Commonwealth of Virginia or a Virginia locality.
- ▶ Current automobile or life insurance bill (cards or policies are not accepted).
- ▶ Certified copy of school records/transcript from a school in which applicant is currently enrolled, issued by a school accredited by a U.S. state, jurisdiction or territory OR a Virginia Department of Education Certificate of Enrollment form (a report card is not accepted).

- ▶ Virginia Voter Registration Card.
- ▶ Virginia driver's license, learner's permit or DMV photo ID card displaying the applicant's current Virginia address.
- ▶ Current homeowners insurance policy or bill.
- ▶ Cancelled check (not more than two months old) with both name and address imprinted.
- ▶ Deed, mortgage, monthly mortgage statement or residential rental/lease agreement.
- ▶ U.S. Postal Service change of address confirmation form or postmarked U.S. mail with forwarding address label.
- ▶ Active duty military member assigned to a unit based in Virginia may present one of the following:
 - ▶▶ Letter from commanding officer on official letterhead, with an original signature, stating that the applicant resides onboard a ship docked in Virginia or in a barracks located in Virginia;
 - ▶▶ Orders from the U.S. military assigning the applicant to a military unit with a Virginia address;
 - ▶▶ Leave and Earnings Statement (LES) showing Virginia as applicant's Home of Record.

Proof of Social Security Number

If you are applying for any driver's license or learner's permit you will be required to provide one proof of your social security number (SSN) (if you have been issued one) from the list below. Your document must display all nine-digits. Anyone applying for a CDL or CDL instruction permit must provide a SSN. If you are applying for an ID card, you do not have to provide a SSN.

DMV will verify all social security numbers with the Social Security Administration (SSA). If the information (name, date of birth, and SSN) you present does not match the information on file at the SSA, DMV will not issue you a driver's license, learner's permit, CDL, or CDL instruction permit.

DMV will assign you a customer number which will display on your driver's license, learner's permit, CDL, or CDL instruction permit or ID card. If you wish to change your DMV-assigned number in the future, you may be required to present documentation from law enforcement or the courts indicating that you may be a victim of identity theft.

- ▶ Social security card (Individual Taxpayer Identification Numbers are not accepted).
- ▶ U.S. Internal Revenue Service tax reporting W-2 form or 1099 form.
- ▶ Payroll check stub issued by employer.
- ▶ Unexpired U.S. Active Duty/Retiree/Reservist Military ID Card (DD-2 or Common Access Card). (ID cards of military dependents are not accepted)
- ▶ Annual Social Security Statement.

Proof of Name Change

- ▶ Marriage certificate, license or register.
- ▶ Divorce decree if the decree states the change from married name to maiden name.
- ▶ Court order granting the name change.

If you are applying for any Virginia driver's license or ID card for the first time and your name has changed, you must submit one of the documents listed above for proof of your name change.

If your name has changed and you currently hold any valid Virginia-issued driver's license or ID card, you must present it along with one of the documents listed above for proof of your name change.

If you cannot present your Virginia driver's license, learner's permit, CDL, CDL instruction permit or ID card, you must present one proof of identity from the primary document list in addition to one of the above listed documents for proof of name change.



Virginia Department of Motor Vehicles
P. O. Box 27412
Richmond, Virginia 23269
1-866-368-5463 (DMV-LINE) or
1-800-435-5137
www.dmvNOW.com

DMV 141 (December 16, 2004)
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Memo

To: Senator ☐ Representative ☒

Gundrum

(The Draft's Requester)

Per your request: ... the attached fiscal estimate was prepared for your unIntroduced 2005 draft.

LRB Number: LRB -1138

Version: " / 1 "

Fiscal Estimate Prepared By: (agency abbr.) DOT

If you have questions about the enclosed fiscal estimate, you may contact the state agency representative that prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

Entered In Computer And Copy Sent To Requester Via E-Mail: 01 / 28 / 2005

* * * * *

To: LRB – Legal Section PA's

Subject: *Fiscal Estimate Received For An Unintroduced Draft*

> **If redrafted** ... please insert this cover sheet and attached early fiscal estimate into the drafting file ... after the draft's old version (the version that this fiscal estimate was based on), and before the markup of the draft on the updated version.

> **If introduced** ... and the version of the attached fiscal estimate is for a **previous version** ... please insert this cover sheet and attached early fiscal estimate into the drafting file ... after the draft's old version (the version that this fiscal estimate was based on), and before the markup of the draft on the updated version. Have Mike (or Lynn) get the ball rolling on getting a fiscal estimate prepared for the introduced version.

> **If introduced** ... and the version of the attached fiscal estimate is for the **current version** ... please write the draft's introduction number below and give to Mike (or Lynn) to process.

THIS DRAFT WAS INTRODUCED AS: 2005 _____

Barman, Mike

From: Barman, Mike
Sent: Friday, January 28, 2005 12:34 PM
To: Rep.Gundrum
Cc: Usealman, Kevin
Subject: LRB 05-1138/1 (FE by DOT - attached - for your review)



FE_Gundrum.PDF

Fiscal Estimate - 2005 Session

☒ Original ☐ Updated ☐ Corrected ☐ Supplemental

LRB Number 05-1138/1		Introduction Number	
Subject Operators licenses for illegal aliens			
Fiscal Effect State: <div style="display: flex; flex-wrap: wrap;"><div style="width: 33%;"><input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations</div><div style="width: 33%;"><input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues</div><div style="width: 33%;"><input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Decrease Costs</div></div> Local: <div style="display: flex; flex-wrap: wrap;"><div style="width: 33%;"><input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</div><div style="width: 33%;"><div style="display: flex;"><div style="width: 45%;">3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</div><div style="width: 45%;">4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</div></div></div><div style="width: 33%;">5. Types of Local Government Units Affected <div style="display: flex; flex-wrap: wrap;"><div style="width: 33%;"><input type="checkbox"/> Towns <input type="checkbox"/> Counties <input type="checkbox"/> School Districts</div><div style="width: 33%;"><input type="checkbox"/> Village <input type="checkbox"/> Others <input type="checkbox"/> WTCS Districts</div><div style="width: 33%;"><input type="checkbox"/> Cities</div></div></div></div>			

Fund Sources Affected
☐ GPR ☐ FED ☐ PRO ☐ PRS ☒ SEG ☐ SEGS 20.395 (5) (cq)

Affected Ch. 20 Appropriations

Fiscal Estimate Narratives

DOT 1/28/2005

LRB Number 05-1138/1	Introduction Number	Estimate Type Original
Subject		
Operators licenses for illegal aliens		

Assumptions Used in Arriving at Fiscal Estimate

SUMMARY

Current law requires a person to prove their name and date of birth along with their identity in order to obtain a driver's license or identification card from DMV. LRB 1138 requires that each applicant for a driver's license or identification card prove that they are a U.S. citizen legally residing in Wisconsin or a legal alien legally residing in this state. If an applicant is a legal alien, DMV must put the date on which the person's legal alien status expires on their license or ID card. Also, if an applicant is a legal alien, the expiration date of their license or ID card must be changed to match the date the person's status as a legal alien expires, if this date occurs sooner than the usual expiration date of the product.

ASSUMPTIONS

- All applicants must be checked to verify they are citizens, or legal aliens.
- All applicants for an original driver's license or identification card with a valid Social Security number, verified by the Social Security Administration, with a birth certificate showing they were born in the United States are assumed to be citizens. All other applicants will be checked for "legal presence".
- All applicants renewing a driver's license or identification card who have valid Social Security numbers on file, verified by the Social Security Administration, are assumed to be legal residents.
- Any applicant who does not provide or possess a valid Social Security number must prove citizenship or present documentation of legal alien status. It is estimated that 9% of applicants would be impacted, based on 2004 data and Wisconsin's initial experience with the SSOLV (Social Security Online Verification) system.
- The department must make significant computer system changes to capture legal alien status information, compute expiration dates, and verify the status of legal alien applicants. These changes would be impossible to make based on the current effective date in the draft. As such, the fiscal estimate was prepared based on a delayed effective date of at least eighteen months for implementation.

CONCLUSION

As currently written, it would be difficult for WisDOT to implement this proposal. The bill does not specify how the department must identify aliens, so we must assume the intent is to make sure all driver's license and identification card (ID) applicants prove they are citizens or legal aliens of the United States.

One-time Costs

\$713,150 for data processing work to alter driver's license and identification card issuance system to capture legal alien status information, calculate an expiration date based on expiration of legal status, and build a link to Systematic Alien Verification for Entitlements (SAVE) system from the Department of Homeland Security, U.S. Citizen and Immigration Services to verify legal alien status.

Ongoing Costs

\$164,377 ongoing cost increase for FTE and SAVE transaction costs.

BASIS FOR CONCLUSION

One-time costs

Data processing development of \$713,150 for 839 days, including CPU testing, @ \$850 per day (\$600 contract programmer; \$250 computer processing charges).

Ongoing costs

\$147,560 FTE cost increase

778,577 DL and ID originals and renewals X 9% = 70,072

70,072 @ 5 minutes each = 350,360 minutes

350,360 minutes / 60 = 5839 hours / 1725 hours (1 FTE) = 3.4 FTE

3.4 FTE @ \$43,400 = \$147,560

\$16,817 SAVE system transaction fees cost increase

778,577 DL and ID originals and renewals X 9% = 70,072

70,072 @ \$0.24 each = \$16,817

Long-Range Fiscal Implications

See above

Fiscal Estimate Worksheet - 2005 Session

Detailed Estimate of Annual Fiscal Effect

☒ Original
 ☐ Updated
 ☐ Corrected
 ☐ Supplemental

LRB Number 05-1138/1		Introduction Number	
Subject			
Operators licenses for illegal aliens			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
\$713,150 for data processing work.			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes	\$147,560		
(FTE Position Changes)	(3.4 FTE)		
State Operations - Other Costs	16,817		
Local Assistance			
Aids to Individuals or Organizations			
TOTAL State Costs by Category	\$164,377	\$	
B. State Costs by Source of Funds			
GPR			
FED			
PRO/PRS			
SEG/SEG-S (20.395(5)(cq))	164,377		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, ets.)			
	Increased Rev	Decreased Rev	
GPR Taxes	\$	\$	
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
TOTAL State Revenues	\$	\$	
NET ANNUALIZED FISCAL IMPACT			
	State	Local	
NET CHANGE IN COSTS	\$164,377	\$	
NET CHANGE IN REVENUE	\$	\$	
Agency/Prepared By	Authorized Signature		Date
DOT/ Erin Egan (608) 266-1449	Carol Buckmaster (608) 267-6979		1/28/2005

2005 BILL

by 2-9-05
(noon if possible)

(even)

- 1 AN ACT *to renumber and amend* 343.50 (1); *to amend* 343.20 (1) (a), 343.50
 2 (4), 343.50 (5) and 343.50 (6); and *to create* 343.01 (2) (ba), 343.06 (1) (L),
 3 343.14 (2) (er), 343.17 (3) (a) 14. and 343.50 (1) (b) of the statutes; **relating to:**
 4 driver's licenses and identification cards for aliens.

Analysis by the Legislative Reference Bureau

Under current law, a person who wishes to receive a ^{operator's} driver's license or an identification card from the Department of Transportation (DOT) must provide certain information to DOT, including the person's name, address, date of birth, and physically descriptive information. A license or an identification card that is issued by DOT includes a picture of the person, identifying information, the person's signature, and physically descriptive information. ^{an operator's}

Under this bill, an applicant for a ^{operator's} driver's license or identification card ~~who is an alien resident of this state~~ must present documentary proof that the person is legally residing within the state and the date on which his or her status as a legal alien expires. The bill requires DOT to include on the person's ^{operator's} driver's license or identification card the date on which the person's status as a legal alien expires, and specifies that the person's license or identification card expires on that date.

either a
United States
citizen or
legally present
in the
United States

legal presence
in the United States

BILL

for an unspecified period of time, the standard renewal periods for an operator's license or an identification card apply

If the person is authorized to be in the United States

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 343.01 (2) (ba) of the statutes is created to read:

343.01 (2) (ba) "Alien" means a person who is not a citizen or national of the United States.

SECTION 2. 343.06 (1) (L) of the statutes is created to read:

343.06 (1) (L) To any person who is an alien and who does not provide the documentary proof described in s. 343.14 (2) (er).

SECTION 3. 343.14 (2) (er) of the statutes is created to read:

343.14 (2) (er) If the application is made by a person who is an alien, documentary proof that the applicant is legally residing within this state under 8 USC 1101 to 1105 or other applicable federal law, and the date on which the applicant's status as a legal alien expires.

SECTION 4. 343.17 (3) (a) 14. of the statutes is created to read:

343.17 (3) (a) 14. If the person is an alien, the date on which the person's status as a legal alien expires.

SECTION 5. 343.20 (1) (a) of the statutes is amended to read:

343.20 (1) (a) Except as otherwise expressly provided in this chapter, reinstated licenses, probationary licenses issued under s. 343.085 and original licenses other than instruction permits shall expire 2 years from the date of the applicant's next birthday, or, if the person is an alien, on the date that the applicant's status as a legal alien expires, whichever occurs first. Subject to s. 343.125 (3), all other licenses and license endorsements shall expire 8 years after the date of

**2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1138/lins
PJH:wlj:pg

1 INSERT A:

2 **SECTION ~~1~~** 343.14 (2) (er) of the statutes is created to read:

3 343.14 (2) (er) 1. Documentary proof that the individual is a citizen of the
4 United States, or documentary proof that the individual is legally present in the
5 United States.

6 2. If the individual is not a citizen of the United States, he or she shall provide
7 documentary proof of his or her status as a legal permanent resident or conditional
8 resident, a valid unexpired nonimmigrant visa or nonimmigrant visa status for entry
9 into the United States, a pending or approved application for asylum in the United
10 States, valid entry into the United States in refugee status, a pending or approved
11 application for temporary protected status in the United States, approved deferred
12 action status, or a pending application for adjustment of status to legal permanent
13 resident status or conditional resident status.

14 **SECTION ~~2~~** 343.20 (1) (f) of the statutes is created to read:

15 343.20 (1) (f) The department shall cancel an operator's license if the
16 department is notified by a local, state, or federal government agency that the
17 operator is no longer a citizen of the United States, a legal permanent resident of the
18 United States, or a conditional resident of the United States, or otherwise not legally
19 present in the United States.

20 **SECTION ~~3~~** 343.20 (1m) of the statutes is created to read:

21 343.20 (1m) A license that is issued to a person who is not a United States
22 citizen and who provides documentary proof of legal status as provided under s.
23 343.14 (2) (er) shall expire on the date that the person's legal presence in the United

1 States is no longer authorized. If the documentary proof as provided under s. 343.14
2 (20⁹² (er) does not state the date that the person's legal presence in the United States
3 is no longer authorized, sub. (1) shall apply.

4 **SECTION 4.** 343.50 (4) of the statutes is amended to read:

5 343.50 (4) APPLICATION. The application for an identification card shall include
6 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), and
7 (em), and (er), and such further information as the department may reasonably
8 require to enable it to determine whether the applicant is entitled by law to an
9 identification card. The department shall, as part of the application process, take a
10 photograph of the applicant to comply with sub. (3). No application may be processed
11 without the photograph being taken. Misrepresentations in violation of s. 343.14 (5)
12 are punishable as provided in s. 343.14 (9).

History: 1977 c. 360, 447; 1979 c. 226, 306; 1981 c. 20 s. 184~~8~~; 1985 a. 29, 98; 1987 a. 27, 304; 1989 a. 105, 294, 298; 1991 a. 86, 269; 1995 a. 446; 1997 a. 27, 119, 191; 1999 a. 9, 32, 80, 85, 88, 186; 2001 a. 93; 2003 a. 33.

13 **SECTION 5.** 343.50 (5) of the statutes is amended to read:

14 343.50 (5) VALID PERIOD; FEES. The fee for an original card and for the
15 reinstatement of an identification card after cancellation under sub. (10) shall be \$9.
16 The card shall be valid for the succeeding period of 4 years from the applicant's next
17 birthday after the date of issuance, except that a card that is issued to a person who
18 is not a United States citizen and who provides documentary proof of legal status as
19 provided under s. 343.14 (2) (er) shall expire on the date that the person's legal
20 presence in the United States is no longer authorized. If the documentary proof as
21 provided under s. 343.14 (20⁹² (er) does not state the date that the person's legal
22 presence in the United States is no longer authorized, then the card shall be valid

1 for the succeeding period of 4 years from the applicant's next birthday after the date
2 of issuance.

History: 1977 c. 360, 447; 1979 c. 226, 306; 1981 c. 20 s. 1848r; 1985 a. 29, 98; 1987 a. 27, 304; 1989 a. 105, 294, 298; 1991 a. 86, 269; 1995 a. 446; 1997 a. 27, 119, 191; 1999 a. 9, 32, 80, 85, 88, 186; 2001 a. 93; 2003 a. 33.

3 **SECTION 4** 343.50 (6) of the statutes is amended to read:

4 343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the
5 department shall mail a renewal application to the last-known address of each
6 identification card holder. The department shall include with the application
7 information, as developed by all organ procurement organizations in cooperation
8 with the department, that promotes anatomical donations and which relates to the
9 anatomical donation opportunity available under s. 343.175. The fee for a renewal
10 identification card shall be \$9, which card shall be valid for 4 years, except that a card
11 that is issued to a person who is not a United States citizen and who provides
12 documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on
13 the date that the person's legal presence in the United States is no longer authorized.
14 If the documentary proof as provided under s. 343.14 (20⁹⁵er) does not state the date
15 that the person's legal presence in the United States is no longer authorized, then
16 the card shall be valid for 4 years.

History: 1977 c. 360, 447; 1979 c. 226, 306; 1981 c. 20 s. 1848r; 1985 a. 29, 98; 1987 a. 27, 304; 1989 a. 105, 294, 298; 1991 a. 86, 269; 1995 a. 446; 1997 a. 27, 119, 191; 1999 a. 9, 32, 80, 85, 88, 186; 2001 a. 93; 2003 a. 33.

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1 without the photograph being taken. Misrepresentations in violation of s. 343.14 (5)
2 are punishable as provided in s. 343.14 (9).

3 **SECTION 9.** 343.50 (5) of the statutes is amended to read:

4 343.50 (5) VALID PERIOD; FEES. The fee for an original card and for the
5 reinstatement of an identification card after cancellation under sub. (10) shall be \$9.
6 The card shall be valid for the succeeding period of 4 years from the applicant's next
7 birthday after the date of issuance, or, if the person is an alien, until the date that
8 the applicant's status as a legal alien expires, whichever occurs first.

9 **SECTION 10.** 343.50 (6) of the statutes is amended to read:

10 343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the
11 department shall mail a renewal application to the last-known address of each
12 identification card holder. The department shall include with the application
13 information, as developed by all organ procurement organizations in cooperation
14 with the department, that promotes anatomical donations and which relates to the
15 anatomical donation opportunity available under s. 343.175. The fee for a renewal
16 identification card shall be \$9, which card shall be valid for 4 years, or, if the person
17 is an alien, until the date that the applicant's status as a legal alien expires,
18 whichever occurs first.

19 **SECTION 11. Initial applicability.**

20 (1) This act first applies to applications that are made on the effective date of
21 this subsection.

22 (END)

Insert A

Northrop, Lori

From: Usealman, Kevin
Sent: Wednesday, February 23, 2005 2:24 PM
To: LRB.Legal
Subject: Draft review: LRB 05-1138/2 Topic: Operators licenses for illegal aliens

It has been requested by <Usealman, Kevin> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-1138/2 Topic: Operators licenses for illegal aliens